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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/583,594

06/19/2006

Michael Weber

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24498

7590

12/23/2008

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EXAMINER

CHOU, ALBERT T

ART UNIT

PAPER NUMBER

2416

MAIL DATE

DELIVERY MODE

12/23/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/583,594	<b>Applicant(s)</b> WEBER, MICHAEL	
	<b>Examiner</b> ALBERT T. CHOU	<b>Art Unit</b> 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/19/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent Application Pub. No. 2002/0078293 A1 by Kou et al. (hereinafter “Kuo”)

Regarding claim 1, Kuo teaches a method for automatically setting up data connections between network subscriber stations in a network of distributed stations **[Figs. 2, 4A & Abstract]**, where the network contains at least one recording appliance **[Fig. 2; VCR unit 222 or CD (recording) unit 224]**, a data source appliance **[Figs. 2 & 4A; e.g. Controller Device/Set-top box 212/450 or PC 218; para. 0008]** and a data sink appliance **[Figs. 2 & 4A; e.g. TV 216/430, VCR unit 222/440, CD (recording) unit 224, or Receiver 220]**, comprising the following steps:

user-activated selection of a user interface for the recording appliance on a user interface appliance **[Figs. 2, 4A & 5, step 540; AV/C controller 450 can be used to send commands, e.g. "record", to VCR 440 or CD unit 224; para. 0071]**;

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checking for the existing data connections which have been set up for the data sink appliance or the user interface appliance in the network **[Figs. 2, 4A & 5, step 510; finds various sinks and sources, and possible connections; para. 0059, 0068];**

set-up of a connection between the data source appliance for which a connection to the data sink appliance or to the user interface appliance has been set up and the recording appliance in order to assist in the implementation of an instant-recording function on the recording appliance **[Figs. 2, 4A & 5, steps 520-530; e.g. set up a connection by selecting a data source appliance such as Controller Device/Set-top box 212/450 or PC 218, and a data sink device such as VCR 440, CD unit 224 for a recording function; para. 0071].**

Regarding claims 2 and 7, Kuo teaches the data connection between the data source appliance and the recording appliance is set up only after the recording function on the recording appliance has been activated by the user **[Figs. 2, 4A & 5, step 540; para. 0011, 0071].**

Regarding claims 3 and 8, Kuo teaches the user interface appliance is a display appliance for video images, and the user interface is based on a graphical user interface **[Fig. 4A; para. 0043, 0053].**

Regarding claims 4 and 9, Kuo teaches the data sink appliance is an amplifier device for audio signals **[Fig. 2; e.g. the data sink appliance is a Receiver 220 (which comprising a tuner and an amplifier); para. 0039]**.

Regarding claims 5 and 10, Kuo teaches the recording appliance is a digital video recorder or a digital audio recorder **[Fig. 2; IEEE 1394-compliant digital devices on IEEE 1394 Bus 230 of the network 210, such as VCR 222 or CD unit 224; para. 0006, 0039-0041]**.

Regarding claim 6, Kuo teaches a network subscriber station as a user interface appliance having program means for providing user interfaces for controlling network subscriber stations **[Figs. 2 & 4A; e.g. Controller Device/Set-top box 212/450 or PC 218 controls other devices of network 210; para. 0008, 0042-0044]**, wherein the user interface appliance has further program means which, upon activation of the user interface for the control of a recording appliance in the network by the user **[Figs. 2, 4A & 5, step 540; AV/C controller 450 can be used to send commands, e.g. "record", to VCR 440 or CD unit 224; para. 0071]**, call up checking program means which trigger a check regarding the existing data connections which have been set up for a data sink appliance or the user interface appliance itself **[Figs. 2, 4A & 5, step 510; finds various sinks and sources, and possible connections; para. 0059, 0068]** and automatically set up a data connection between the data source appliance for which a data connection to the data sink appliance or to the user interface appliance has been

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set up and the recording appliance in order to assist in the implementation of an instant-recording function on the recording appliance in the network **[Figs. 2, 4A & 5, steps 520-530; e.g. set up a connection by selecting a data source appliance such as Controller Device/Set-top box 212/450 or PC 218, and a data sink device such as VCR 440 or CD unit 224 for a recording function; para. 0071]..**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert T. Chou whose telephone number is 571-272-6045. The examiner can normally be reached on 8:30 - 17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham, can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Albert T Chou/

Examiner, Art Unit 2416

December 19, 2008